

109TH CONGRESS  
1ST SESSION

# S. 1231

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2005

Referred to the Committee on Education and the Workforce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## AN ACT

To amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “National Fund for Ex-  
5       cellence in American Indian Education Amendments Act  
6       of 2005”.

1 **SEC. 2. NATIONAL FUND FOR EXCELLENCE IN AMERICAN**  
 2 **INDIAN EDUCATION.**

3 Section 501 of the Indian Self-Determination and  
 4 Education Assistance Act (25 U.S.C. 458bbb) is amend-  
 5 ed—

6 (1) in subsection (g), by striking paragraphs  
 7 (1) and (2) and inserting the following:

8 “(1) IN GENERAL.—The officers of the Founda-  
 9 tion shall be—

10 “(A) a chief operating officer, to be ap-  
 11 pointed in accordance with paragraph (2); and

12 “(B) any other officers, to be appointed or  
 13 elected in accordance with the constitution and  
 14 bylaws of the Foundation.

15 “(2) CHIEF OPERATING OFFICER.—

16 “(A) APPOINTMENT.—The Board shall ap-  
 17 point a chief operating officer to the Founda-  
 18 tion.

19 “(B) REQUIREMENTS.—The chief oper-  
 20 ating officer of the Foundation shall—

21 “(i) demonstrate experience and  
 22 knowledge in matters relating to—

23 “(I) education, in general; and

24 “(II) education of Indians, in  
 25 particular; and

1 “(ii) serve at the direction of the  
2 Board.”;

3 (2) in subsection (l)(1), by striking “Beginning  
4 with” and all that follows through subparagraph (B)  
5 and inserting the following: “For each fiscal year  
6 following the first fiscal year during which the Foun-  
7 dation is in operation, the administrative costs of the  
8 Foundation shall not exceed—

9 “(A) for the first fiscal year, an amount  
10 equal to 20 percent of the sum of—

11 “(i) the amounts transferred to the  
12 Foundation under subsection (m) during  
13 the preceding fiscal year; and

14 “(ii) donations received from private  
15 sources during the preceding fiscal year;

16 “(B) for the second fiscal year, an amount  
17 equal to 15 percent of the sum of—

18 “(i) the amounts transferred to the  
19 Foundation under subsection (m) during  
20 the preceding fiscal year; and

21 “(ii) donations received from private  
22 sources during the preceding fiscal year;  
23 and

1 “(C) for the third fiscal year, and each fis-  
 2 cal year thereafter, an amount equal to 10 per-  
 3 cent of the sum of—

4 “(i) the amounts transferred to the  
 5 Foundation under subsection (m) during  
 6 the preceding fiscal year; and

7 “(ii) donations received from private  
 8 sources during the preceding fiscal year.”;  
 9 and

10 (3) by adding at the end the following:

11 “(o) AUTHORIZATION OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—There is authorized to be  
 13 appropriated to carry out this section \$5,000,000 for  
 14 each of fiscal years 2007 through 2009.

15 “(2) EFFECT ON OTHER FUNDS.—Funds ap-  
 16 propriated under paragraph (1) shall not reduce the  
 17 amount of funds available for any other program re-  
 18 lating to Indian education.”.

19 **SEC. 3. ADMINISTRATIVE SERVICES AND SUPPORT.**

20 Section 502 of the Indian Self-Determination and  
 21 Education Assistance Act (25 U.S.C. 458bbb–1) is  
 22 amended—

23 (1) in subsection (a), by striking paragraph (2)  
 24 and inserting the following:

25 “(2) may provide funds—

Attest:

EMILY J. REYNOLDS,  
*Secretary.*